



Appeal Decision

Site visit made on 3 December 2024 by N Manley BA (Hons) MSc

Decision by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/J1535/D/24/3349394

32 Courtland Drive, Chigwell, Essex IG7 6PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Christopher Pickering against the decision of Epping Forest District Council.
 - The application Ref is EPF/0044/24.
 - The development proposed is described as an "Extension, Loft Conversion, and Internal/External Alterations of an Existing, Detached house."
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Decision

1. The appeal is allowed and planning permission is granted for "Extension, Loft Conversion, and Internal/External Alterations of an Existing, Detached house" at 32 Courtland Drive, Chigwell, Essex IG7 6PW in accordance with the terms of the application, Ref EPF/0044/24, and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: FA22-1907-102, FA22-1907-110 Rev C, FA22-1907-111 Rev C, FA22-1907-112 Rev C, FA22-1907-113 Rev C, FA22-1907-112 Rev B, FA22-1907-120 Rev B, FA22-1907-122 and FA22-1907-125.
 - 3) Prior to their installation, samples of all externally facing materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. A new version of the National Planning Policy Framework (the Framework) was published in December 2024. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain

unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issues are the effect of the proposal on:

- The character and appearance of the host property and the surrounding area; and
- The living conditions of the occupiers of 30 Courtland Drive (no 30) and 34 Courtland Drive (no 34) with particular regard to the effect on outlook.

Reasons for the Recommendation

Character and appearance

5. 32 Courtland Drive (no 32) is a large, two-storey detached property situated on a generous plot, located on a suburban residential road. It features a sweeping driveway and front garden, with a spacious rear garden from which neighbouring properties are clearly visible. The area is predominantly characterised by large, detached residential properties of a similar size, each set within comparably sized plots. These properties exhibit a variety of architectural styles, features and finishing materials.
6. Despite the Council's concerns, with respect to the scale of the proposed dormers, dormer windows of differing sizes and designs are a prominent feature in the immediate vicinity of the appeal site. Similarly, dwellings in the locality incorporate fenestration of varying designs and styles. While the existing dwelling does not currently include dormer windows, the proposed positioning, design, and style of the dormers would not detract from the character or appearance of the wider area.
7. Similarly, whilst the proposed scale of the extension would enlarge the property, its width and height would remain largely unchanged. From the street scene, the addition of several gables and a dormer window would alter the property's appearance, introducing some additional mass. However, it would still retain the character of a large, detached home with an individual design, consistent with the street's pattern of similarly large detached properties featuring varied architectural styles.
8. To the rear, the two-storey element of the dwelling would be enlarged, aligning approximately with the existing two storey rear projection of the property. Beyond this, the additional depth into the rear garden would primarily comprise a single-storey extension, with only a small, slightly off-centre two-storey element projecting modestly further. Considering the generous size of the rear garden, the existing depth of the two-storey rear projection, and the limited visibility of this element from the street scene, I do not consider it to detract from the character or appearance of the wider area.
9. The extension would represent a sizeable enlargement of no 32. However, the proposed design offers a visual improvement over the current building. It would result in a distinctive property that integrates well with the local context, character, and surrounding pattern of development, whilst maintaining similar

width and height. Moreover, the additional volume increase from the extension would be smaller than that of the existing building, preserving an overall sense of subservience.

10. Given the above, I therefore conclude the proposal would not be harmful to the character and appearance of the host property and the surrounding area and would accord with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (Adopted 2023) (EFD LP) and the Framework. Together these notably seek to ensure development preserves the character of an area, ensuring development has regard to nearby building heights, style and form.

Living Conditions

11. The Council asserts that the rear extension would adversely impact neighbouring properties due to its overbearing nature. However, the single-storey element would be screened from these properties by boundary fencing and planting. Therefore, this aspect of the proposal would not harm the living conditions of neighbouring occupants.
12. With respect to the two-storey element, the proposal would align with the existing two-storey rear projection of no 32 and will extend approximately to the deepest point of the rear wall of no 34, ensuring there would be no greater effects in the relationship between the host dwelling and its neighbouring dwellings than the current setting.
13. With respect to no 30, the proposed two-storey element would extend further than the existing structure, adding depth to the property that would be partially visible from no 30. However, this slight increase in visibility is not material, considering houses nearby typically occupy the full width of their plots and this aligns with the prevailing urban context. There is no inset to the proposed rear extension, but the orientation of no 30 results in its main outlook being towards its own large rear garden. This outlook, in combination with the proposed 45-degree angle of the two-storey element at the boundary between no 30 and no 32, ensures that the proposed development would not demonstrably harm the outlook of neighbouring occupiers.
14. The deepest part of the proposal would be the rear gable, which would extend slightly beyond the rear wall of the single-storey element and be positioned off-centre towards the west. However, due to its largely centralised position within the plot and its considerable distance from the boundaries with no 30 and no 34, the proposal would also not result in a material effect on outlook.
15. Consequently, I therefore find the proposed development would not harm the living conditions of the occupiers of neighbouring properties, by reason of outlook. The development would therefore accord with Policy DM9 of the EFD LP which requires development to not result in an over-bearing nature which would materially impact on the outlook of occupiers of neighbouring properties.

Conditions

16. In addition to the standard implementation condition, it is necessary, in the interests of precision, to specify the plans with which the scheme should comply, as those submitted with the application. To maintain the character and appearance of the host property and surrounding area, it is necessary to request additional details of the finished materials to ensure they align with those proposed in the plans.

17. The Council's Trees and Landscape department suggested another condition, requiring the retention of certain trees and shrubs, as well as a condition for hard and soft landscaping. However, based on the evidence before me and my observations on site, no trees on the site or nearby are subject to a Tree Protection Order, and the appeal site is not located within a conservation area. Furthermore, following my assessment of the trees' visual amenity during my site visit, it is not considered that the affected trees are of such value as to require protection during construction and this condition is therefore unnecessary.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

Ben Plenty

INSPECTOR